

\*E-Filed 2/25/13\*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

CHRISTOPHER CASTILLO,  
Plaintiff,

No. C 12-5746 RS (PR)

**ORDER OF DISMISSAL**

v.

SAN QUENTIN STATE PRISON,  
Defendant.

Plaintiff was ordered to, within 30 days, file an amended complaint. More than 30 days have passed and plaintiff has not complied with this order. Accordingly, the action is DISMISSED without prejudice for failure to comply with the Court's order and, under Federal Rule of Civil Procedure 41(b), for failure to prosecute. His motion for the appointment of counsel (Docket No. 7) is DENIED without prejudice. Any motion to reopen **must** contain an amended complaint. The Clerk shall terminate Docket No. 7, enter judgment in favor of defendant, and close the file.

**IT IS SO ORDERED.**

DATED: February 25, 2013

  
RICHARD SEEBORG  
United States District Judge

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